



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF VOCATIONAL AND ADULT EDUCATION

April 17, 2008

Kimberly A. Green
Executive Director
NASDCTEc/NCTEF
The Hall of States
444 North Capitol Street, NW
Suite 830
Washington, DC 20001

Jan Bray, CAE
Executive Director
ACTE
1410 King Street,
Alexandria, VA 22314

Dear Kim and Jan:

On behalf of the Office of Vocational and Adult Education (OVAE), thank you for your comments and suggestions regarding the Consolidated Annual Report (CAR) for the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) (20 U.S.C. 2301 *et seq.* as amended by P.L. 109-270). Below please find OVAE responses to each of your comments and suggestions.

The CAR Narrative:

NASDCTEc/ACTE Comment: Page 9, Part B, Item 2, Progress in Developing and Implementing Technical Skill Assessments: This requirement creates a significant burden on states, especially given that OVAE has not provided a clear definition of what it defines as a technical skill and what assessments qualify as measuring competency of technical skills. Further, it is unclear what value this narrative information will provide to OVAE beyond what is provided in the performance indicator section of the CAR report.

OVAE Response: The department believes that this CAR requirement adds limited burden hours and provides important information to the Department as it reviews state's annual performance data. The "performance indicator section" of the CAR provides only data on the percentage of students who passed technical skill assessments in the reporting year, but does not indicate how many, or in what program areas, assessments were available or what percentage of all concentrators took those assessments.

The department further believes that there is basis in Perkins IV to require states to report on and update their plans for implementing technical skill assessments. Since the legislation specifically identifies technical skill assessments as a means to measure

student's technical skill attainment, if available and appropriate, it is reasonable for the department to inquire into state's plans for making available and using such assessment.

For the reasons indicated above, no changes will be made to this item.

NASDCTEc/ACTE Comment: Page 11, Part D, 1.a. Bullet Two: We have serious concerns with the following requirement: *"A State must report on all students participating in public career and technical education in the State....both its Perkins-funded and non-Perkins funded."* First, we believe this requirement does not accurately interpret the law. We are not aware of any requirement in Perkins that would require a state or any local not receiving Perkins funds to be held to Perkins performance, fiscal or reporting requirements. Second, this requirement creates an unequivocal unfunded mandate. Third, if the purpose of Perkins data is to determine the impact of the Perkins funding, this requirement erodes any possibility of using this information/data for this purpose. Finally, states have no leverage over local programs not receiving Perkins fund to comply with Perkins-related data requirements. Therefore, this requirement creates a situation where states will, by default, not be able to comply with these reporting requirements.

OVAE Response: Section 113(a) of Perkins IV indicates that "the purpose of this section is to establish and support state and local performance accountability systems, comprised of the activities described in this section, to assess the effectiveness of the State and the eligible recipients of the State in achieving statewide progress in career and technical education and to optimize the return of investment of Federal funds in career and technical education activities." The department, therefore, believes that in order to assess the effectiveness of the state or the eligible recipients in achieving statewide progress, the state and the recipients must report on both its Perkins-funded and non-Perkins funded career and technical education programs.

The CAR Tables:

NASDCTEc/ACTE Comment: In several of the indicators -- 3S1, 5S1, 2P1, 3P1, and 4P1, under Perkins III, states were not required to report on sub-indicators. Our understanding is that this will continue to be the case under Perkins IV. Please provide clarity and assurance that this will continue to be OVAE's requirement under Perkins IV.

OVAE Response: The department will require states to report on "sub-indicators" for 3S1, 5S1, 2P1, 3P1, and 4P1 pursuant to legislative language contained in section 113(b)(2)(A) and (B) of Perkins IV.

NASDCTEc/ACTE Comment: Secondary tables do not show the line item 'unknown' for Race/Ethnicity (1997 Revised Standards) as they do for postsecondary. We are requesting that the line item be included on the secondary tables. In our experience, the secondary line for "displaced homemakers" is non-productive, and we request it be removed. Similarly, line 27 (Migrant Status) needs to be removed from tables 5A1 and 5A2.

OVAE Response: The Department’s policy on reporting a student in race and ethnic categories does not allow ‘unknown’ as an option; therefore, we are not providing the category of “unknown” gender to the reporting forms.

There are several states that report secondary level “Displaced Homemakers” information to the department. For this reason the “Displaced Homemakers” category will remain on the secondary level reporting forms.

Line 27 (Migrant Status) has been removed from tables 5A1 and 5A2.

NASDCTEc/ACTE Comment: The “Student Accountability Forms for the Section 203 Indicators of Performance (Title II)” need additional clarification even if it is assumed that the statutory definitions for secondary and postsecondary tech prep students are the basis for data collection. What are the intended numerator and denominator?

- Secondary Level – Some of the five measures may be collected and reported while a student is still in high school (e.g. lines 4 and 5, and lines 1 and 3 in some states but not others). Line 2 will occur after a student has completed high school. Is it the intent to report on secondary tech prep students only when they have left high school or each year they are enrolled in the Tech Prep program?
- Postsecondary Level – The language in the statute should be used, as it includes additional clarification for these 4 items.

OVAE Response: Section 203(e) of Perkins IV gives each consortium the authority to establish and report to the eligible agency indicators of performance for each tech prep program for which the consortium receives a grant under Title II of the Act. Therefore, the department has encouraged states to meet and reach consensus on measuring and reporting on the section 203(e) indicators of performance, including establishing appropriate numerators and denominators for each indicator. The department does not plan to issue non-regulatory on the tech prep measures and will make no further changes in the CAR instrument at this time.

NASDCTEc/ACTE Comment: In General: The timeline for data submission listed in item 16 of the Final Supporting Statement identifies all state data due to OVAE by December 31 following each program year. Based on the experience of states in implementing Perkins III, it is clear that this deadline makes it difficult to submit accurate and comprehensive data. This will be exacerbated given the alignment of Perkins IV data with No Child Left Behind. Therefore, we strongly urge OVAE to change the deadline for the submission of all data to March 31.

OVAE Response: The December 31 date corresponds with the Education Department General Administrative Regulations (EDGAR), §80.40(b)(1) and §80.41(b)(4), that require the submission of annual performance and financial status reports 90 days after

the grant period or expiration of the grant, which, for the Perkins grants, is September 31 of each year.

For the reasons indicated above, no changes will be made to this item.

Again, thank you for sharing your concerns and recommendations on the proposed 2007-2008 Consolidated Annual Report (CAR) for the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270).

Sincerely,

A handwritten signature in cursive script that reads "Sharon Lee Miller". The signature is written in dark ink and is positioned above the printed name.

Sharon Lee Miller

Director

Division of Academic and Technical Education